



MA 02143

City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville

18 MARCH 2021 MEETING MINUTES

This meeting was conducted via remote participation on GoToWebinar.

NAME	TITLE	STATUS	ARRIVED
Michael Capuano	Chair	<i>Present</i>	
Sam Dinning	Clerk	<i>Present</i>	
Rob Buchanan	Member	<i>Present</i>	
Amelia Aboff	Vice Chair	<i>Present</i>	
Jahan Habib	Member	<i>Present</i>	

City staff present: Sarah Lewis (Director of Planning & Zoning); Dan Bartman (Planning & Zoning); Charlotte Leis (Planning & Zoning)

The meeting was called to order at 6:03pm and adjourned at 6:45pm.

OTHER BUSINESS: Somerville Zoning Ordinance Corrections & Amendments

Chair Capuano advised that the Board would discuss and vote on Appendix A first, and then review the other appendices.

Daniel Bartman noted that comments were open until Monday, March 15th, but no comments had been received. Some corrections and edits had been made, as they had received feedback from the Director of the Office of Sustainability and Environment regarding the language for recharging stations. The language was changed to reflect federal regulations related to electric vehicles. A few minor clarifications from the Land Use Committee (LUC) were noted in the handout.

Vice Chair Aboff recused herself from the discussion regarding Boynton Yards in Appendix A. Chair Capuano opened the hearing to comments, questions, or concerns from the Board.

Following a motion by Chair Capuano, seconded by Clerk Dinning, the Board voted unanimously (4-0) to recommend that Appendix A be adopted by the City Council. Vice Chair Aboff was recused from the discussion and vote.

Vice Chair Aboff returned to the meeting and Chair Capuano asked about the recharging station language, looking to clarify that a recommendation for approval to the City Council was only establishing a use that applicants could later apply for, but that it was not providing support or approval for any current applications. Staff confirmed that understanding was correct.

Vice Chair Aboff inquired as to why the provision for including recharging stations as a principal use for surface parking lots had originally been very strict and then had changed significantly from the last draft. Mr. Bartman responded that Staff had offered the most restrictive version of the language as they felt further research and discussion needed to be held, and had relaxed the requirements in consultation with Director Sellers-Garcia, who was able to address and alleviate many concerns.

Following a motion by Chair Capuano, seconded by Clerk Dinning, the Board voted unanimously (5-0), to adopt the remainder of the November 2020 amendments.

The Board then moved to consideration of the January 2021 amendments. Mr. Bartman noted that the LUC had clarified language regarding validity in a response to a comment at the public hearing. This

language clarified that a Certificate of Zoning Compliance (CZC) verifies that a proposal is compliant with zoning prior as part of a Building Permit application, while a Certificate of Occupancy confirms compliance with health and building codes. He further specified that a CZC should be viewed as a piece of paper that verifies a condition at the time it is issued, but does not grant any additional rights or obviate the need for other permits.

Following a motion by Chair Capuano, seconded by Clerk Dinning, the Board voted unanimously (5-0), to remove an errant “remains” from the language and recommend as amended.

RESULT:

APPROVED

OTHER BUSINESS: Board hiring consultants under M.G.L. ch. 44, sec. 53G

Director Sarah Lewis provided a summary of her memo provided to the Board, including a review of the statute, draft rules for utilizing the regulation that had not yet been reviewed by the City Solicitor’s Office, and a draft scope of work for consultants. She encouraged Board members to send comments directly via email and noted that she would summarize and address comments for the next Board meeting.

RESULT:

CONTINUED

PUBLIC HEARING: 152-158 Broadway

(Continued from 4 March 2021)

Attorney Rich Di Girolamo reviewed the history of the project. Chair Capuano reported that the Planning Board had received an opinion from the Legal Department regarding the Board’s question concerning whether their decision on this case sets a precedent for future decisions. The answer was broadly no, which the Chair and the Board found satisfactory. Chair Capuano opened the hearing to further discussion among the Board members.

Chair Capuano reviewed the votes which needed to be made and opened for concerns or questions regarding the required findings or conditions noted in the Staff Memo for the Special Permit. No concerns or questions were voiced by the Board members.

Following a motion by Chair Capuano, seconded by Clerk Dinning, the Board voted unanimously (5-0) to approve the Special Permit for a Household Residence use based on considerations discussed in the Staff Memo.

Chair Capuano then asked for concerns or questions regarding the required findings or conditions noted in the Staff Memo for the Special Permit for Parking Relief. None were voiced, however Vice Chair Aboff asked for confirmation of the inclusion of all discussed conditions for the limitation of Residential Parking Permits (RPP) for the Special Permit for Parking Relief. Chair Capuano confirmed, and read the conditions related to RPP into the record.

Following a motion by Chair Capuano, seconded by Clerk Dinning, the Board voted unanimously (5-0) to approve the Special Permit for Parking Relief as conditioned.

Chair Capuano asked for concerns or questions regarding the required findings or conditions noted in the Staff Memo for the Building Site Plan Approval. Vice Chair Aboff recommended adding a condition about Staff review of the final façade materials and colors, noting that it had not been included in the Staff Memo. Chair Capuano noted agreement among the Board that the condition should be added.

Following a motion by Chair Capuano, seconded by Clerk Dinning, the Board voted unanimously (5-0) to approve the application for Site Plan Approval of a five story, net zero ready apartment building, with the conditions as listed in the Staff Memo and as discussed during the hearing.

OTHER BUSINESS: Board Discussion

Chair Capuano noted that there have been a number of projects that have received permits by the Planning Board which are not complete and are moving slowly. Chair Capuano asked Director Lewis if there was any way the Board could encourage the projects to move forward faster?

Director Lewis confirmed that she could follow up with the Inspectional Services Department (ISD) regarding the permitting status, but she noted that it would be something under the purview of the Building Official/Director of ISD. She offered to investigate what recourse the Board may have to encourage those projects to move faster.

Chair Capuano mentioned that this issue is not new to this Board, as they occasionally get status updates on permits previously issued. They have previously asked ISD to check whether certain conditions imposed on projects by this Board are actually being followed by applicants. Chair Capuano told the Board that if they have questions about previously issued permits to let staff know and they can investigate situations.

Director Lewis added that the Zoning Review Planners in ISD are very helpful in confirming that conditions are met, as that confirmation is within their purview. Director Lewis explained the plan review process, for securing approval when changes are made to a previously approved project and noted that Staff are strict in enforcing that requirement and sending projects back to the appropriate Review Board when revisions are considered significant.

NOTICE: These minutes constitute a summary of the votes and key discussions at this meeting. To review a full recording, please contact the Planning & Zoning Division at planning@somervillema.gov.